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APPLICATION OF THE TOWN OF §  
 LITTLE ELM TO AMEND ITS §  
 CERTIFICATE OF CONVENIENCE §  
 AND NECESSITY AND TO §  
 DECERTIFY PORTIONS OF §  
 CERTIFICATES HELD BY MUSTANG §  
 SPECIAL UTILITY DISTRICT AND §  
 TERRA SOUTHWEST INC. IN §  
 DENTON COUNTY (37896-C, 37897-C) §

PUBLIC UTILITY COMMISSION

OF TEXAS

2015 SEP 1 AM 10:40  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK

#### FOURTH JOINT REQUEST FOR AN ABATEMENT

Commission Staff (Staff) of the Public Utility Commission of Texas (Commission) and the Town of Little Elm file this Fourth Joint Request for an Abatement. In support of their Fourth Joint Request for an Abatement, Staff and the Town of Little Elm state the following:

##### I. Background

On April 24, 2014, the Town of Little Elm filed an application with the Texas Commission of Environmental Quality. Among the requests in the Town of Little Elm's application is an amendment to its sewer certificate of convenience and necessity (CCN No. 20931). The Town of Little Elm sought to add additional service area in Denton County, Texas. The Town of Lakewood Village is also seeking to add the same service area in Denton County, Texas.<sup>1</sup> Since the filing of their respective applications, the Town of Little Elm and the Town of Lakewood Village have engaged in discussions to negotiate city boundaries.

On August 3, 2015, the Administrative Law Judge entered Order No. 11, which abated this proceeding in order to permit the Town of Little Elm and the Town of Lakewood Village to continue their discussions. Order No. 11 established September 1, 2015 as the deadline for parties to either file a request to unabated this proceeding or file a status report.

##### II. Fourth Request for Abatement

Staff has conferred with the authorized representatives for the Town of Little Elm and for

<sup>1</sup> See *Application of Town of Lakewood Village to Amend its Sewer Certificate of Convenience and Necessity and to Decertify a Portion of the Town of Little Elm's Certificate in Denton County*, Docket No. 43145 (pending).

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Lakewood Village regarding their discussions to negotiate city boundaries. It is Staff's understanding that the Town of Little Elm and Lakewood Village have reached an agreement regarding these city boundaries. The Town of Little Elm will need additional time to amend its application (and accompanying maps) to reflect this agreement. Thus, Staff and the Town of Little Elm request that the Commission further abate this proceeding until November 2, 2015. Staff and the Town of Little Elm propose that on or by November 2, 2015, the parties will either file a request to un-abate this proceeding or a status report.

### **III. Conclusion**

Staff and the Town of Little Elm request that the Commission further abate this proceeding until November 2, 2015.

Date: September 1, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton  
Division Director  
Legal Division

Stephen Mack  
Managing Attorney  
Legal Division



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**DOCKET NO. 43542**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on September 1, 2015, in accordance with 16 TAC § 22.74.

A handwritten signature in black ink, appearing to be 'S' followed by a long horizontal stroke.

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Sam Chang